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John S. Nagy, Reg. No. 30,664

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

: 10/705,989

**Applicant** 

: Lilip Lau, William M. Hartigan

Filed

: November 12, 2003

Art Unit

: 3736

Examiner

Samuel G. Gilbert

Title

**EXPANDABLE CARDIAC HARNESS FOR TREATING** 

CONGESTIVE HEART FAILURE

Docket No.:

: PARCR 65989

Customer No.

24201

Mail Stop AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## FOURTH SUPPLEMENTAL

## INFORMATION DISCLOSURE STATEMENT

Dear Sir:

The documents listed on the enclosed Form PTO/SB/08A have come to the attention of Applicant and are submitted to the Office under 37 C.F.R. § 1.97.

This paper is responsive to the Supplemental Notice of Allowability mailed by the Patent Office on July 6, 2006 in which the Examiner declined to consider four references which did not show a date of publication. Each of the four references are

enclosed herewith and the dates for each of references is reflected on the citation on the Form PTO-1449.

Applicant believes here is no fee due for submission of this Information

Disclosure Statement, however, if a fee is required please charge any fees to our Deposit

Account No. 06-2425. A duplicate of this paper is enclosed.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By:

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet I (use as many sheets as necessary)

Complete if Known			
Application Number	10/705,989		
Filing Date	November 12, 2003		
First Named Inventor	Lilip Lau		
Group Art Unit	3736		
Examiner Name	Samuel G. Gilbert		
Attorney Docket Number	PARCR 65989		

OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No <sup>1</sup> .	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Alain Carpentier, M.D., Ph.D., DynamicCardiomyoplasty at Seven Years, The Journal of Thoracic and Cardiovascular Surgery, Vol. 106, No. 1 (July 1993)	
		Joong Hwan Oh, M.D., et al., The Effects of Prosthetic Cardiac Binding and Adynamic Cardiomyoplasty in a Model of Dilated Cardiomyopathy, The Journal of Thoracic Cardiovascular Surgery, Vol. 116, No. 2, pp. 148-153 (July 1997)	
		O.H. Frazier, M.D. and Timothy J. Myers, D.C., Left Ventricular Assist System as a Bridge to Myocardial Recovery, The Society of Thoracic Surgeons, Vol. 68, pp. 734-741 (1999)	
		Pervaiz A. Chaudhry, M.D., et al., Acute Ventricular Reduction with ACORN'S Cardiac Support Device Prevents Progressive Left Ventricular Dysfunction and Remodeling in Dogs With Advanced Heart Failure, Surgical Forum, pp. 146-148 (1999)	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

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	Application Number	10/705,989
TRANSMITTAL	Filing Date	November 12, 2003
FORM	First Named Inventor	Lilip Lau
	Art Unit	3736
(to be used for all correspondence after initial filing)	Examiner Name	Samuel G. Gilbert
otal Number of Pages in This Submission	Attorney Docket Number	PARCR 65989

Total Number of	Pages in This Submission	1	Attorney Docket N	Number	PARCR 65989	
ENCLOSURES (Check all that apply)						
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
Firm Name FULWIDER PATTON LLP						
Signature The Nagy						
Printed name	JOHN S. NAGY, ESQ.					
Date	August 14, 2006			Reg. No.	30,664	
CERTIFICATE OF TRANSMISSION/MAILING						

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Date

August 14, 2006

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